

**CHARTER TOWNSHIP OF COMMERCE  
REGULAR BOARD OF TRUSTEES MEETING**

*Tuesday, February 10, 2009*

2840 Fisher Avenue

Commerce Township, Michigan 48390

**CALL TO ORDER:** Supervisor Thomas Zoner called the meeting to order at 7:00 p.m. and introduced the members of the Board.

**PLEDGE OF ALLEGIANCE TO FLAG**

**ROLL CALL:** Present: Thomas K. Zoner, Supervisor  
Sandra Abrams, Clerk  
Susan Gross, Treasurer  
Debra Kirkwood, Trustee  
Robert Long, Trustee  
Daniel Munro, Trustee  
Rick Sovel, Trustee

Also Present: Phillip Adkison, Township Attorney  
Hans Rentrop, Township Attorney  
Jay James, Giffels-Webster Engineers

**APPROVAL OF MINUTES**

**MOTION** by Abrams, supported by Sovel, to approve the Regular Township Board Meeting Minutes of January 13, 2009 and the Board of Trustees Discussion Meeting Minutes of January 27, 2009, as submitted.

**MOTION CARRIED UNANIMOUSLY**

**PRESENTATIONS:**

**A. Connie Holmes**

Sandra Abrams presented the Proclamation to Connie Holmes.

**MOTION** by Abrams, supported by Gross, to approve the Proclamation thanking Connie Holmes for 23 years of dedicated service to the Charter Township of Commerce.

**MOTION CARRIED UNANIMOUSLY**

**B. Parks and Recreation 5-Year Recreation Master Plan**

Leah Groya, Wade Trim gave a presentation of the Master Plan to the Township Board.

**PETITIONS**

**Golfside Paving Special Assessment District**

**MOTION** by Sovel, supported by Munro, to allow Rick Sovel to abstain from voting on the Golfside Paving Special Assessment District because he lives in the Special Assessment District.

**ROLL CALL VOTE**

**AYES:** Sovel, Munro, Abrams, Kirkwood, Long

**NAYS:** Gross, Zoner

**MOTION FAILED**

(Motion must be unanimous to approve a request to abstain)

Jay James, Giffels-Webster Engineers gave an update on the Special Assessment. There are thirty-four parcels involved and 58% of the residents signed the petition.

Mr. Tom Parmenter, 8354 Golfside Drive presented the Board with a petition signed by 31 homeowners on Golfside Drive emphasizing the importance of road water drainage issues.

**MOTION** by Munro, supported by Long, to approve the Resolution of the Township Board of the Charter Township of Commerce, Tentatively Declaring its Intention to Establish a Special Assessment District to be known as Golfside Paving Special Assessment District. **MOTION CARRIED UNANIMOUSLY**

**ROLL CALL VOTE**

**AYES:** Munro, Long, Gross, Kirkwood, Zoner, Abrams

**NAYS:** Sovel

**MOTION CARRIED**

**ITEM 1:2-10 APPROVAL OF AGENDA**

**MOTION** by Abrams, supported by Gross, to approve the Agenda as submitted. **MOTION CARRIED UNANIMOUSLY**

**ITEM 2:2-10 PUBLIC COMMENTS**

Richard Walter, Walled Lake, was present and presented copies of the Sign Ordinance to the Township Board of Trustees. He does not believe this Ordinance will benefit the Township. In addition, he highlighted areas of concern in the Sign Ordinance that need to be changed. He asked that the Sign Ordinance not be Introduced.

**ITEM 2:2-10 PUBLIC COMMENTS (continued)**

Peter Unick would like to see Billboards removed from the Sign Ordinance.

**ITEM 3:2-10 PUBLIC HEARINGS**

- A. Establish High Pointe Subdivision Paving/Road Improvement SAD**
- B. Establish High Pointe Subdivision Paving/Road Replacement SAD**

Supervisor Thomas Zoner opened the Public Hearing.

Jay James, Giffels-Webster Engineers spoke of the SAD.

Tim Abbo President of High Pointe Subdivision Association was present. He stated the majority of the Association (54%) is in favor of the SAD.

Shawn Woods, 500 Alexander Drive, opposed (he does not believe the Township should be involved with this project). Sue Gross explained the payment process.

Bill Kritzman, 421 Alexander Drive, asked how much deterioration there is with the road.

Supervisor Thomas Zoner closed the Public Hearing.

**MOTION** by Gross, supported by Munro, to approve the Resolution of the Township Board of the Charter Township of Commerce Determining to Undertake an Improvement Project and to Establish and Maintain a Special Assessment District to Pay Costs Associated Therewith and Approving the Plans and Estimates of Costs Therefore High Pointe Subdivision Paving/Road Replacement Special Assessment District.

Sovel – were there any letters or e-mails? No.

**ROLL CALL VOTE**

**AYES:** Gross, Munro, Kirkwood, Long, Sovel, Zoner, Abrams

**NAYS:**

**MOTION CARRIED UNANIMOUSLY**

**ITEM 4:2-10 BOARD APPOINTMENTS**

None

**ITEM 5:2-10 CONTRACT AWARDS AND AGREEMENTS**

None

**ITEM 6:2-10 INTRODUCTIONS**

- A. An Ordinance to Amend Article XX, Section 2011, of the Charter Township of Commerce Zoning Ordinance Number 85-12-55-00, in its entirety, to be known as Ordinance 55-09-206.**

**MOTION** by Munro, supported by Sovel, to Introduce an Ordinance to Amend Article XX of the Zoning Ordinance of Charter Township of Commerce to be known as Ordinance 55-09-206, publish, post in the manner prescribed by law and bring back to the Township Board for Adoption at the next regular scheduled Township Board Meeting. **MOTION CARRIED UNANIMOUSLY**

**ITEM 7:2-10 ADOPTIONS**

- A. An Ordinance to Adopt and Enact a new Code for the Charter Township of Commerce, Oakland County, Michigan; Providing for the Repeal of certain Ordinances not included therein; Providing for the Manner of Amending such Code; and Providing when this Ordinance and the Code Enacted hereby shall become effective. This to be known as the Charter Township of Commerce Codification Ordinance No. 1.000.**

**MOTION** by Sovel, supported by Abrams, to Adopt an Ordinance to Adopt and Enact a new Code for the Charter Township of Commerce, Oakland County, Michigan; Providing for the Repeal of certain Ordinances not included therein; Providing for the Manner of Amending such Code; and Providing when this Ordinance and the Code Enacted hereby shall become effective. This to be known as the Charter Township of Commerce Codification Ordinance No. 1.000, publish, post in the manner prescribed by law.

**MOTION CARRIED UNANIMOUSLY**

- B. An Ordinance to Amend Chapter 20, Article II, Sections 20-19, 20-20 and 20-22, of the Code of ordinances, Charter Township of Commerce, Oakland County, Michigan, to be known as Code Amendment Ordinance No. 1.001.**

**MOTION** by Abrams, supported by Sovel, to Adopt An Ordinance to Amend Chapter 20, Article II, Sections 20-19, 20-20 and 20-22, of the Code of

**ITEM 7:2-10 ADOPTIONS**

**Code Amendment Ordinance No. 1.001. (Motion continued)**

Ordinances, Charter Township of Commerce, Oakland County, Michigan, to be known as Code Amendment Ordinance No. 1.001, publish, post in the manner prescribed by law.

**MOTION CARRIED UNANIMOUSLY**

**C. An Ordinance to Amend Ordinance No. 79-98-00 to be known as the Charter Township of Commerce Fee Ordinance, Ordinance No. 2.000.**

**MOTION** by Abrams, supported by Sovel, to Adopt An Ordinance to Amend Ordinance No. 79-98-00 to be known as The Charter Township of Commerce Fee Ordinance, Ordinance 2.000, publish, post in the manner prescribed by law.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 8:2-10 SITE CONDOMINIUMS AND PLATS**

None

**ITEM 9:2-10 CONSENT AGENDA**

None

**ITEM 10:2-10 PURCHASES**

**A. Lektriever Card File**

**MOTION** by Kirkwood, supported by Gross, to purchase from Productivity Systems, Inc. the 9' Tray Kardex Lektriever for an amount not to exceed \$27,000.00.

**MOTION CARRIED UNANIMOUSLY**

**B. Furniture for New Township Hall**

**MOTION** by Abrams, supported by Gross, to award the Furniture Bid to Office Furniture Solutions of Commerce Township, Michigan for a total amount not to exceed \$110,000.00.

Kirkwood – questioned some office furniture placement.

**ROLL CALL VOTE**

**AYES:** Abrams, Gross, Sovel, Munro, Zoner

**NAYS:** Kirkwood, Long

**MOTION CARRIED**

**ITEM 11:2-10 OLD BUSINESS**

None

**ITEM 12:2-10 NEW BUSINESS**

**A. Approve the Parks and Recreation 5-Year Recreation Master Plan**

**MOTION** by Munro, supported by Abrams, to approve the Resolution to Adopt the Parks and Recreation 5-Year Recreation Master Plan.

**MOTION CARRIED UNANIMOUSLY**

**B. Approve a Resolution for the Walled Lake Annual 5K Run**

**MOTION** by Abrams, supported by Sovel, to approve the Resolution for the Walled Lake Annual 5K Run.

**MOTION CARRIED UNANIMOUSLY**

**C. Consideration of Act 198**

Kathleen Cassidy, Township Planner, gave an explanation and introduced David Kurtycz.

David Kurtycz from Michigan Economic Development Corporation ("MEDC") was present to answer questions.

**MOTION** by Munro, supported by Zoner, to set a Public Hearing a the next regular scheduled Township Board of Trustees meeting for P.A. 198 Tax Abatement for the purpose of establishing certain boundaries.

**ROLL CALL VOTE**

**AYES:** Munro, Zoner, Abrams, Gross, Kirkwood, Sovel

**NAYS:** Long

**MOTION CARRIED**

**D. Consent Judgment Interpretation**

Phillip Adkison, Township Attorney discussed the Consent Judgment and Commerce Deli, Inc.

No action needed.

**ITEM 13:2-10 ORDERS AND ADD-ONS**

**MOTION** by Abrams, supported by Gross, to approve the orders and add ons.  
**MOTION CARRIED UNANIMOUSLY**

**ITEM 14:2-10 OTHER MATTERS**

Wynn Berry gave a summary of the DDA Report.

Supervisor Thomas Zoner – would like to set a Board meeting for Tuesday, February 17, 2009 to present big awards for computers and a phone system for the new Township Hall.

**MOTION** by Abrams, supported by Gross, to authorize the Township Supervisor to move forward on the bid information and purchases for computers and a phone system and to forward the information to all Board members.

Discussion – this topic should be discussed during a Township Board meeting. Supervisor Thomas Zoner will forward bid specifications and information to Board members.

**Motion and Support Withdrawn**

Special Township Board Meeting scheduled for February 17, 2009.

Long – Friends of Byers will present a change in their Charter to the Parks and Recreation Committee at the next Parks and Recreation meeting.

Sovel – asked for an update on disposal service. Abrams said this would go out for bids.

Sovel – questioned the interest charged - Improvement Revolving Fund (8%).

Supervisor Thomas Zoner received a resignation letter from Marvin Lee - Parks and Recreation Committee.

Supervisor Thomas Zoner - Budget for the New Township Hall will be forwarded to Board members.

**ITEM 15:2-10 EXECUTIVE SESSION**  
**Attorney/Client Privileged Information**

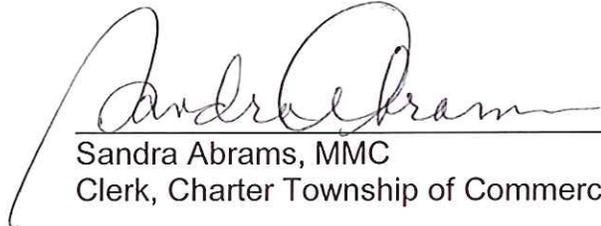
**MOTION** by Abrams, supported by Munro, to enter into Executive Session for the purpose of discussing pending litigation. **MOTION CARRIED UNANIMOUSLY**

**5 minute recess (9:14 p.m.)**

Entered into Executive Session at 9:20 p.m.  
Returned to Regular Meeting at 9:50 p.m.

**ITEM 16:2-10 ADJOURNMENT**

**MOTION** by Abrams, supported by Zoner, to adjourn the meeting at 9:50 p.m.  
**MOTION CARRIED UNANIMOUSLY**



Sandra Abrams, MMC  
Clerk, Charter Township of Commerce